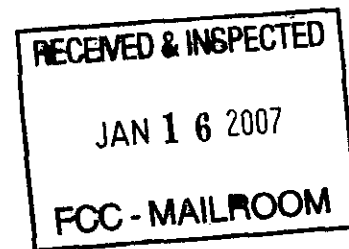


## Northeast Citizens for Responsible Media

[www.re-media.org](http://www.re-media.org)

January 15, 2007

Secretary Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capital Heights, MD 20743



Re: Transcript of Testimony from FCC  
Public Hearing- Hyde Park, N.Y.  
Docket numbers: 06-121, 01-235, 01-317

To whom it may concern:

Enclosed please find the transcript of the public hearing held on November 21, 2006 in the FDR Library, Hyde Park, New York. This hearing was sponsored by Congressman Maurice Hinchey and Northeast Citizens for Responsible Media, a grass roots media reform organization in the Hudson Valley ([www.re-media.org](http://www.re-media.org)). Commissioner Michael Copps was in attendance. The purpose of the hearing was to give the citizens of the Hudson Valley an opportunity to offer public comment on the proposed rule making of the FCC with regard to media ownership consolidation.

Over 300 people attended this hearing and more than 70 people offered testimony: all but one opposed further consolidation of the media ownership rules. Indeed in the Hudson Valley under the current FCC rules we have lost virtually all of our local media.

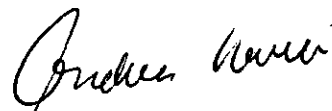
As the testimony reveals, and as further established in the research submitted by Mark Cooper, Director of Research of the Consumer Federation of America, given the way the FCC measures market areas (DMAs for television and the Arbitron standard for radio) the Hudson Valley has been disregarded: lost as if we do not exist. Most of the Hudson Valley is located in the New York Designated Market Area, but the counties of the Hudson Valley do not receive the television or radio available to New York City and its surrounds. In the communities of the Hudson Valley we have no local television and very limited local radio (some communities receive local community radio stations, most do not). We have a few daily newspapers owned by national or regional chains (each county has no more than a daily newspaper and perhaps a weekly).

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List A B C D E

There is a public radio station which has 14 identical stations serving an area that covers seven states, providing some regional, but no local news to the Hudson Valley. Thus the Hudson Valley has virtually no local news provided by television/radio broadcast and at best a newspaper serving an entire county. The existing level of consolidation has left us without local media. Further relaxation is obviously untenable.

Thank you for your consideration of our testimony. We respectfully urge you to not further relax your rules and to consider the plight of the thousands who have suffered the loss of localism and diversity as a result of the current level of consolidation and the way in which the FCC defines market areas.

Very Truly Yours

A handwritten signature in cursive script, appearing to read "Andrea Novick".

Andrea Novick

1    **FCC HEARING – HUDSON VALLEY**

2    ***Tape: # 1***

3    ***Date: Dec. \_\_, 2006***

4

5    **Tape 1 Side 1**

6    Tape begun at Counter # 2

7    **[Andi Novick]** All right, we're going to get started. Nice crowd. (applause) I didn't do  
8    anything yet. All right. Good evening. Welcome. This is great. Thank you all for  
9    coming. My name is Andi Novick. I'm one of the founders of Northeast Citizens for  
10   Responsible Media (applause). You know as much as I really appreciate the applause,  
11   but here is what I have to say about applause, we're running under a tight schedule  
12   because, wonderfully so many of you want to testify, and we have a panel to go; so I will  
13   tell you when to applaud. Okay? (Laughs) Just hold your applause. This is in my way.  
14   Okay, so Northeast Citizens for Responsible Media, for anyone who doesn't know about  
15   it, is a grassroots media reform organization that was formed here in the Hudson Valley  
16   last year. And we are thrilled to be able to support Congressman Hinchey in his work to  
17   sponsor this meeting, this public hearing tonight. I will just give you briefly Re-media,  
18   which is what we fondly call Northeast Citizens for Responsible Media, was formed in  
19   response to a crisis in our democracy which we believe is fed by an insatiable corporate  
20   media and made possible by corrupt government policy that flaunts our First  
21   Amendment by creating these anti-American media monopolies, and failing to ensure  
22   that we receive, and I'm going to quote," the widest possible dissemination of information  
23   from diverse and antagonistic sources." That's a quote from the United States Supreme  
24   Court in 1945. So, Re-media works to raise awareness about these issues of media and

25 democracy and to actively seek to alter the current policies of the government and to  
26 alter the existing corporate media structure. In a nutshell, we're working our way back to  
27 1945; so if you want to know more about us, we have a website, [www.re-media.org](http://www.re-media.org).  
28 There is a lot of information if you want to join us, if you want to be part of the work that  
29 we do, we would be thrilled. You can do that. There are sign-in sheets going around  
30 here, and our next meeting is December 10 at 3:00. And, if you sign the sheet, you will  
31 get an email about it. In the packets that you were given out, there is a ten-second  
32 questionnaire; and if you could fill that out, that would be terrific. That's just a --we want  
33 to know about where you get your local media from and what local media you can  
34 receive in your area and then we will get back to you with the results and see what we  
35 can do about that. And finally today we are launching a blog on our website so you will  
36 be able to write your own stories or comments and keep up with ongoing discussions of  
37 these FCC hearings on media ownership on issues of net neutrality which is coming  
38 down the pipe, with a new congress, and other media issues. So, go onto the website  
39 and you can even submit your testimony to the FCC online. Okay, and also a record of  
40 tonight's forum will be on the website, so you can start signing on and join that  
41 discussion. I want to start by thanking our host, the Franklin D. Roosevelt Presidential  
42 Library and Museum, for generously permitting Congressman Hinchey the use of this  
43 spectacular and historical space. I just want to say that it was extremely fitting that we  
44 should be in the Henry Wallace Center. As you know, Henry Wallace was Roosevelt's  
45 third vice president. He served from 1941 to 1945, which is the same year we're  
46 working to get back to. But Wallace recognized back then the danger of permitting  
47 media to gain the sort of monopoly control we now experience and he wrote famously in  
48 the *New York Times* in 1944, and I'm going to quote, "American Fascism will not be  
49 really dangerous until there is a purposeful coalition among the cartelists, the deliberate  
50 poisoners of public information." and that's where we find ourselves. I just want to take a

51 minute to acknowledge all the fantastic people that went into putting this together. Don't  
52 applaud, I'm going to tell you when to applaud, there is a lot of great people here, hold  
53 your applause. First, there's the extraordinary volunteers who work ridiculously hard to  
54 make this happen; but the volunteers of Re-media are a fantastic group, they're an  
55 incredible amount of fun, they are dedicated, they're committed. And so if you want to  
56 join us, it's got all those things. So, let me thank Leslie Simons, Fred Nagel, Manna Jo  
57 Greene, Steve Densmore, Steve Galazzo, Linda Lauretta, Joanne Lukacher, Andrea  
58 Barrist-Stern, Erica Freudenberger, Tom Griffin, and my son Jake, who is really a big  
59 help. Then there's these two, real live professionals at media organizing: Aliza Dichter,  
60 Co-director of the Center for International Media Action, and Dharma Dailey of the  
61 Prometheus Radio Project in Ethos Wireless. Just three weeks ago all of us at Re-media  
62 had never heard of these people, and they are professional media organizers who live in  
63 our area; and I guess they must have just known that we were in need and something  
64 went out in the cosmos so I think that just proves that the airwaves really do belong to  
65 the people. I want to thank Christine Ahern, the station manager for WJFF Radio  
66 Catskill, who is recording tonight's hearing and Robert Frossum who is the recording  
67 sound engineer. I want to thank all of the groups who have endorsed us who do such  
68 important work in the Hudson Valley, and I want to acknowledge all of our elected  
69 officials who joined us who I know is in attendance: Dutchess County Legislators, Bill  
70 McCabe, Joel Tyner, Diane Nash, Ulster County legislator Gary Bischoff, Rhinebeck  
71 Superintendent, that's mine, Steve Block, Rosendale councilwoman Manna Jo Green,  
72 and Hyde Park town supervisor Pompey Delafield. Okay, now you can applaud.  
73 (*Applaud*). Okay, that's enough. All right, now let me tell you how the format is going to  
74 run tonight because there is a lot to be said. Shortly, we are going to hear from our  
75 national leaders and hopefully one of them will show up, and that will be followed by our  
76 panelists, and then we will have open mikes for the public testimony. Everyone will get

77 a chance to speak; Lets see, I need to tell you the rules about speaking so this will go  
78 smoothly. When you came in, there were sign-up sheets. If you haven't signed up to  
79 testify, then you should get a hold of one. They are going around the room and they will  
80 get back to me. So if you want to testify, put your name on that. I will call up people  
81 from the audience in groups of 5 or so. I will call you up about 5 minutes before you  
82 need to testify so we'll line up at a mike, which will be in the center of the room later.  
83 When I call your name, you will move up to the microphone and that way we can keep it  
84 going smoothly. Right, Okay, if you are planning on testifying in Spanish, please  
85 indicate that when you sign up so we can ensure we have Spanish interpretation  
86 available. Let me try this; Si vas a presentar tu testimonio en espanol, por favor digale  
87 a una de los resseccionistas ahora para poder traduciar en ingles. Is that okay? My  
88 accent is probably pretty bad but no one knows that, right? No, no. No applause yet.  
89 We're going to be very strict on time because so many of you want to speak, we're  
90 limiting your testimonies, sorry, to 90 seconds -- a minute and a half. But, it's really  
91 poignant what you can do in a minute in a half. And, if you can do it in one minute, it's  
92 even more powerful. All of your testimony will be recorded, it'll be transcribed. It is all  
93 going to go into the public record of the FCC. It will be part of their official proceedings.  
94 If anyone wants to file a comment after tonight but before December 21, which is when  
95 the window of opportunity to submit public comment closes at the FCC, you can do that  
96 by going on our website, [www.Re-media.org](http://www.Re-media.org). Finally, we have these terrific postcards  
97 that are friends at Media Tank, which is a group from Philly, have given us. You can  
98 complete one of those and that will become part of the record, too with the FCC. If you  
99 complete them tonight, we'll turn them in for you. You can give them to any of our  
100 fabulous volunteers; they are the people with the nametags on. Or, there's a box out in  
101 front of the registration table that you can drop it in. Let's see, this hearing is being  
102 recorded by Re-media. If anyone has a problem and doesn't want to be recorded, let

103 one of our volunteers know. Okay, so now I'm going to thank two of our heroes of the  
104 media reform movement, which you probably didn't know was a movement; but it's a  
105 growing movement: Congressman Maurice Hinchey, certainly needs no introduction to  
106 this crowd. So, in the interest of the time, I won't, because you probably rather use the  
107 time yourself. Congressman Hinchey though, I just want to say, has been a pioneer in  
108 this field and a visionary. He was sounding the alarm for the need for media reform long  
109 before anyone knew about this issue. I mean, in fact, even at this moment, a lot of  
110 people don't know about this issue and so he founded the Future of American Media  
111 Caucus, which he organized in order to educate members of Congress and the staff  
112 about these issues. And he's also the sponsor of the Media Ownership Reform Act of  
113 2005 which maybe he will tell you more about, and maybe it's got a shot now that we  
114 have a new congress. Commissioner Michael Copps, is one of five FCC commissioners  
115 and what I want you to know about him is how incredibly courageous this man has been.  
116 He has been fighting almost single handedly along now with his fellow FCC  
117 commissioner Adelstein against the majority of FCC commissioners who don't seem to  
118 be very concerned about the public interest and who seem to have capitulated to the  
119 millions of dollars which was spent by the private industry of the media conglomerates.  
120 When the FCC refused to go out to the public and find out what the public thought about  
121 the regulations that were being made in their names, notwithstanding that it was their  
122 responsibility to do that, Commissioner Copps on his own traversed this country dozens  
123 of times -- thirty times, forty times -- to come to hearings like this to make sure that the  
124 public's voices would be heard. So, we would like to thank them with a token by heartfelt  
125 expression of our admiration and appreciation for them. Commissioner Copps, I heard  
126 you speak in Philly in 2003. That was right before the FCC was about to vote on the  
127 very rules that they're considering right now. You were concerned about what would  
128 happen if they voted in favor of the rules and increased consolidation. And, at that time,

129 you said, we really need to look at the impact that that's going to have on the public  
130 before we let the genie out of the bottle. And what you said, and you were anticipating  
131 the worst, and I quote you said: "What if we vote on June 2 and it turns out to be a  
132 mistake? How do you put the genie back in the bottle? The answer to that question is  
133 you can't. It's going to be too late." So we have that genie here with us and were going  
134 to call it the greedy media consolidation genie or the greedy meedy for short, and we've  
135 locked it in a genie bottle. Where else would you keep a bad genie? And we've decided  
136 that there's no better person than you to ensure with the safe keeping of making sure  
137 that greedy meedy genie stays in its bottle. Be careful. (applause). Now, I just want to  
138 also say there are good genies and there are bad genies. And, so for our trusted  
139 representative and friend Maurice Hinchey, we have the magical Aladdin's lamp; and  
140 that's the good genie inside of it. And, if you rub the lamp, you know you get 3 wishes.  
141 And, of course, they are your wishes; and we trust you, which says a lot, because we  
142 don't say that about most of the people in the house. But notwithstanding it's your wish,  
143 we had a few suggestions in threes that you might wish for. You could wish that all  
144 media monopolies be busted and vanished; you could wish for the resurrection of the  
145 Fairness Doctrine, you could wish that the country woke up tomorrow morning and  
146 decided to respect the hard-earned rights of the constitution, starting with the guarantee  
147 of a truly free press. Or you could wish that all members of the Congress were as  
148 honest and dedicated as you, that the judiciary was made up of scholars who were as  
149 committed to their job as you are to yours and that the executive was run by an  
150 intelligent president with a cabinet that appreciated our government and knew that the  
151 government was supposed to be a government of the people, by the people and for the  
152 people. And so that lamp is for you and thank you for sponsoring this hearing and thank  
153 you for bringing the Commissioner to us. Okay, go! (applause) All right, so I'm going to  
154 turn the floor over, John Hall I imagine will be joining us. He is also going to be joining



155 Congressman Hinchey in Washington in a few months. He represents New York's 19<sup>th</sup>  
156 district, as most of you in the room know, he has worked for decades as a political and  
157 environmental activist; and as many of you know, he is a former Ulster County legislator  
158 and he's co-founder of the popular band Orleans. I was going to ask him, but he is not  
159 here, that that's not Hall and Oates? Right? All right, we will begin the conversation  
160 tonight by hearing from our national leaders, you should all know I've got my crack team  
161 of time keepers here which if you remember from the last time, they are very strict; and  
162 you want to keep to the time. And so ladies and gentleman, tonight without commercial  
163 interruption, except for a word from our sponsor, please welcome Congressman Maurice  
164 Hinchey. (applause)

165 **[Maurice Hinchey]** Well, thank you very much. Thank you ladies and gentleman. I'm  
166 awfully glad that you are here. I appreciate it very much that you are spending this  
167 evening with us on this very important issue. I would also like to take note of the fact  
168 that there's another new member of the Congress who will be representing this particular  
169 Congressional District in which we are located at the moment. Her name is Kirsten  
170 Gillibrand, and I'm looking forward to working with her. We were down in Washington, of  
171 course, last week when we were reorganizing the leadership circumstances for the  
172 Democratic party there. And that process is pretty much over now. What we anticipate  
173 that on the fourth of January there would be a new speaker elected to the United States  
174 House of Representatives, and that new speaker will be Nancy Pelosi from San  
175 Francisco, who also happens to be a democrat. We were anticipating that that should  
176 make some significant differences in the way the Congress works, both the House and  
177 the Senate. Well, I know that many of you here this evening know what this issue is all  
178 about, but let me just give it a little historical perspective. We, in a democratic society,  
179 this democratic republic, know very well that one of the most important aspects of our  
180 form of government, is the open discussion of views and opinions and the sharing of

181 ideas, in a very open way. The Federal Communications Commission, back in the  
182 1930's basically, based on some experiences that were had in Europe, established  
183 within the regulations an item called the Fairness Doctrine, or the equal access clause.  
184 And that Fairness Doctrine or equal access clause paid very close attention to the fact  
185 that the airwaves are not owned by any individual or any corporation. The airwaves are  
186 owned by everyone in the context of our particular country, they are owned by every  
187 single American citizen; and, if you are licensed, if someone is licensed to broadcast  
188 over a portion of that spectrum, back then it was just radio, and you have a political  
189 opinion, you have the right to express that political opinion. But, if there are others in the  
190 areas that you are serving on that radio station, and now television as well, you have the  
191 responsibility to provide them, if they have an alternate opinion, to broadcast that  
192 alternative opinion as well -- different opinion. That was an important part of the  
193 distribution of information and ideas in our society for a long time: more than 50 years.  
194 But, in 1987 it was changed. It was changed when the Federal Communications  
195 Commission, under the Reagan administration, then made up of 3 republicans and 2  
196 democrats -- just as it is today -- voted to eliminate the Fairness Doctrine on a 3 to 2  
197 vote. When that happened, the congress of the United States took up the issue, and  
198 they passed legislation, which put the Fairness Doctrine into the law of our country,  
199 except that, the bill that passed both the United States House of Representatives and  
200 the United States Senate was vetoed by President Reagan. And when he vetoed that  
201 bill, he made it clear, that what the Federal Communications did was not something that  
202 they originated, it was not something that happened serendipitously or casually or  
203 carelessly. President Reagan made it clear that what happened with the elimination of  
204 the Fairness Doctrine was done purposefully and intentionally, because the idea of the  
205 political right wing in America, was that they did not want an open and free and fair  
206 media. They wanted to have the opportunity to dominate the airwaves. And they knew

207 they had the financial resources to do it. And they began to engage in that process,  
208 beginning then, back in 1987. At the same time that they eliminated the Fairness  
209 Doctrine, they also changed the rules with regard to media consolidation. Up until that  
210 point, there were strict rules, about how many radio stations, how many television  
211 stations, a single person or a single corporation, had the right to own in a particular  
212 region. They began to eliminate that in 1987, and they have been working  
213 conscientiously to continue that elimination ever since. And, so today we have a very  
214 significant domination of the media. As we heard just a few moments ago, that very  
215 important Supreme Court decision, 60 years ago, when the Supreme Court declared,  
216 and I quote, "The widest possible dissemination of information from diverse and  
217 antagonistic sources is essential to the welfare of the public that a free press is a  
218 condition of a free society. I have no doubt that, one, any one of us, attending this event  
219 would agree that the court's sentiments hold true today; but, I also have no doubt that  
220 we are hard pressed to argue that we are meeting that standard today. We are no  
221 longer meeting that standard in our country today. Two-thirds of America's independent  
222 newspapers have been lost since 1975. And, according to the Department of Justice's  
223 merger guidelines, every local newspaper market in the Country is highly concentrated.  
224 Today, most communities are served by just one daily newspaper. Meanwhile, one-third  
225 of America's independent TV stations have vanished since 1975, and after the 1996  
226 Telecommunications Act, which I as a member of Congress opposed and voted against,  
227 but nevertheless was passed, after that 1996 Telecommunications Act there are 34%  
228 fewer radio station owners today then there were 10 years ago. Five companies own  
229 the broadcast networks. They also own 90% of the top 50 cable networks. They produce  
230 ¾ of all prime time programming and they control 70% of the prime time television  
231 market share. These same companies that own the nation's most popular newspapers  
232 and networks, also own more than 85% of the top 20 internet news sites. Former

233 Federal Communications commissioner and chairman Michael Powell tried to eliminate  
234 even now the existing rules that restrict newspaper cross ownership and local television  
235 ownership. He tried to do that back in June of '03. The courts eventually intervened --  
236 and the courts eventually intervened as a result primarily of the huge reaction of the  
237 American public. But, the courts did intervene. And they prevented the FCC from  
238 eliminating those rules. In August 2003, the Third Circuit Court of Appeals in  
239 Philadelphia stayed the FCC's ruling. And, in June 2004, the Court fully reversed the  
240 agency's decision. However, we are now entering round two on the media cross  
241 ownership battle. FCC chairman Kevin Martin has announced a future notice of  
242 proposed rule making regarding media ownership rules. While the actual rules have not  
243 yet been proposed, we are concerned that we need adequate public review and  
244 discussion of this entire situation. I am the founder of, and chairman of, the Future of  
245 American Media Caucus, in the House of Representatives, a congressional member  
246 organization promoting an accountable, diverse, fair and independent media. Its goal is  
247 to educate members of the Congress and staff, about media issues and to ensure that  
248 all parties, especially the American public, have a chance to participate in the vital  
249 debate over media policy. The Media Ownership Reform Bill that I have introduced,  
250 strengthens media ownership rules in America and guarantees a strong and more  
251 diverse media for our nation's future as well as reinstates the Fairness Doctrine, or the  
252 equal access clause. That legislation must be passed if we are going to have a free and  
253 open media in our country. There is, perhaps, no other issue as central to the health of  
254 our democracy, than the just governance of the media system. The public deserves  
255 accountable media owners and meaningful, mainstream alternatives to ensure localism,  
256 and diversity. Today is an opportunity for myself and the other members of the panel, to  
257 hear from you on how you think the media is serving your interests. The corporate  
258 monopolization of the public airwaves and other media outlets is one of the most critical

259 issues facing our country today. These are the mechanisms that govern the distribution  
260 of diverse viewpoints and essential information without which; our democratic republic  
261 will not survive. It's a very simple thing. If you allow any small number of people to  
262 control the information that the vast public has access to, then ultimately you are going  
263 to allow them to control the ideas that people hold. And, that is what this situation is all  
264 about. And, we need to be aware of the fact that it is being done as I said in my opening  
265 sentence. It is being done intentionally and purposely in order to corrupt the political  
266 process in our country. So, for all of us who are committed to the maintenance of this  
267 democratic republic, we must also be committed to an open, free, fair information  
268 distribution system – an open, free, fair media so that all of us have access to each  
269 other's ideas and points of view, not to be restricted to the narrow ideas and points of  
270 view of those with the resources to own the radio stations, the television stations, and  
271 other information, distribution systems. So, I thank you very much for being with us  
272 tonight. This is a very, very important meeting, and your participation is deeply  
273 appreciated. *Applause*

274 **inaudible voices .... Must not be near microphone ..... then nothing**

275 **[JOHN HALL]** Good evening. I am John Hall, Congressman-elect from the 19<sup>th</sup> District  
276 of New York. [applause] Thank you. And, as usual, Maurice has said it all, almost all,  
277 and said it so well. I can tell you a little bit of my experience as a musician and a  
278 recording artist and a composer who has spent a lifetime, among other things, trying to  
279 get my music played on the radio. And I can tell you also about my friends and  
280 acquaintances who are in the same business and how different it is now from the way it  
281 was when I was growing up and when I first heard music on the radio and went, "That's  
282 what I want to do." You know, it seems that as the number of companies that own  
283 broadcast outlets has diminished and consolidated and merged and become  
284 monopolistic, it's become simultaneously harder and harder for independent acts,

285 independent record labels, independent music publishers, independent writers to make  
286 their music heard. And I dare say that if the situation that exists today in this -- in our --  
287 United States in terms of radio, in particular, I think I will talk about news in a second  
288 because it is really the same thing; but it is a dramatization in terms of music that we all  
289 are familiar with. If the situation that exists now, where, a few giant conglomerates own  
290 thousands of radio stations around the country and in order to get on those stations you  
291 have to be approved by a narrow committee that meets behind closed doors, answers to  
292 nobody but their stockholders and their bean counters, and is swayed by money that is  
293 paid to them. It was called, during Alan Freed's day, Payola. But now days it is called  
294 independent promotion or not so independent, just promotional incentives, awards given,  
295 you know: "The fifth caller at W such and such and such will win a trip to Jamaica for  
296 two." You know. What you don't realize is that every time there is a contest like that on  
297 the radio that is fifth caller's vacation or the CD player or the trip to the theme park that  
298 you are winning is donated, as it were by a corporation in return for a service which is  
299 playing a particular piece of music on the radio enough times to hammer it into your  
300 brain until you think you like it. And, you can't get it out of your head, and you have to go  
301 buy it or download it or whatever it is. So, if you don't have the muscle behind you, the  
302 financial muscle behind you of the big multinational corporations, you don't get on the  
303 radio. And, as a result, given the way radio is today and the monopolistic situation that  
304 we have, in today's climate jazz would have never been invented. Or, if it had, it never  
305 would have been heard. The New Orleans sound, which I hope, survives the supposed  
306 reconstruction of the Gulf Coast and return of the people to the city of New Orleans.  
307 But, the New Orleans second line sound of the meters, the Neville Brothers and Alan  
308 Toussaint and all those wonderful musicians would never have been heard and  
309 popularized around the world. American culture would have been much poorer for it.  
310 Chicago Blues would never have been heard. The Woodstock sound, the LA, you know

311 folk rock sound, the grunge sounds of the Seattle Nirvana era and all the spin-off bands  
312 that came out around it. Bluegrass, bluegrass music would never have been heard  
313 unless you happen to be driving past somebody's front porch in West Virginia. It is the  
314 kind of thing where these musical art forms that are American, important American  
315 strains in our cultural history and ones that other countries, by the way, are very aware  
316 of and love and collect and know in many instances more about than we here in the  
317 United States do, would not, in my opinion, be able to take root and to develop in the  
318 world of today because that creativity and that local form of art would have been  
319 stamped out by the computerized money-driven and nationally-decided lists of what gets  
320 played on the radio. And it's unfortunate. The Internet is providing some relief to that.  
321 The ever creative, youthful, rebelliousness that every generation has is providing some  
322 buffer against it; but it is much harder. I mean, I was a rebellious youth, and when my  
323 parents were telling me to study, I had the guitar hidden under the bed and it was like,  
324 "What are you doing up there John?" And I'm like, you know,  
325 "Chemistry!" ... meanwhile the guitar was hidden under the bed. But, the fact is that it  
326 gets harder and harder to do this. There was a time when a band could make a record  
327 and, you have all probably seen Coal Miner's Daughter, the movie about Patsy Cline,  
328 where she and her husband went in the car with the 45 discs that they had printed up  
329 themselves and drove from one radio station to another and just, you know, she sweet  
330 talked the DJs into putting it on. And, the next thing you knew, she had a hit record.  
331 That kind of story is gonna be, unless things, you know, the pendulum swings back  
332 toward more local ownership, it's going to be hard to see that happening in this country  
333 again. I would worry more, actually, about news control in the same way because we  
334 really have so many serious issues that we are dealing with in this country and if we get  
335 our news from only a few – most people, there are some who you know, get it from the  
336 internet and from all sorts of print and broadcast outlets and they know what they are

337 reading. But, our schools don't teach unfortunately, how to decipher the news and how  
338 to consider the source. So, until they do, we are left with a situation where CNN is  
339 considered by some people to be a left wing organization and or the *New York Times* is  
340 considered to be a left wing organization. And, we are also left with a situation where  
341 the lack of anti trust enforcement in media is only covering up, and making it easier, to  
342 carry out the lack of anti trust enforcement in every other area. Like, for instance, when  
343 we are busy looking at the front pages of, you know, a whole, you know, department of  
344 Iraqi workers for the Interior Department being kidnapped by men wearing army, Iraqi  
345 army uniforms who obviously were Shiite militia instead something, and that is like bad  
346 enough to get the front page and all of our attention is on that that on the inside, page 25  
347 of the business section, there is a little story that Monsanto, the largest genetically  
348 modified food producer in the country, happened to buy the two largest seed distributors  
349 in the country so they now control more than 50% of the corn, soy beans, cotton and  
350 whatever other, you know, I don't know how many more, but there's a number of seed  
351 strains that they control. And, this stuff is happening without any debate, without public  
352 knowledge, well public knowledge is you read the page 25 of the *New York Times* or  
353 some of the other publications there are. But, the problem is that it's not on broadcast  
354 news. That's a story that should be covered, if anything is covered. You know, it's not  
355 just the war, it's not just healthcare, and it's not just energy and dependence on foreign  
356 oil and the shipment of dollars, petrol dollars, overseas -- but these very important  
357 decisions that are being made for us without our knowledge because the news media  
358 does not cover them for us. So, I'm running out of time. I would just say that I am  
359 wholeheartedly in favor of diversification of the media and as much local control, local  
360 ownership, as possible and that will allow not only artistic efforts to flourish but also the  
361 news to be covered in many different ways. Thank you. *Applause*



362 **[MICHAEL COPPS]** Good evening. Thank you everyone for giving up your evening to  
363 come here and be with us tonight. Thank you soon-to-be Congressman Hall for that  
364 strong and powerful message that you're gonna be bringing to Washington. It is  
365 wonderful news. And a special thank you to my friend Congressman Maurice Hinchey,  
366 not only for holding this forum, but for the leadership that he has provided on media and  
367 communication issues in the Congress and really, all across America. He knows in his  
368 head and he feels in his bones how important these issues are to this country. And, he  
369 has a vision of a time, hopefully not too far off, wherein the people's airwaves better  
370 serve the people's interests, the public interest, and he expresses that vision with a  
371 depth of feeling and an eloquence all too rare in our public life today. I think we should  
372 give him another round of applause. (applause). What a place this is to talk about vision  
373 and eloquence. What better place could there be than where we are gathered tonight, so  
374 near to the home of the giant of the 20<sup>th</sup> century. Franklin D. Roosevelt. When  
375 Congressman Hinchey invited me to join him here it was a real twofer for me because it  
376 was a chance to be with Maurice again but also a chance to revisit Hyde Park and in the  
377 interest of holder's closure FDR is my hero of heroes, I am an unabashed Franklin file.  
378 My wife often reminds me that on one of our first wedding anniversaries I dragged her up  
379 here to visit the estate and don't get me wrong, she likes FDR too, but she thought that  
380 was maybe a little bit over the top. Anyhow, I have attended many media ownerships  
381 around the country but this one tonight, at Hyde Park, is really kind of a special  
382 poignancy for me. There still is still so much to admire from the Roosevelt era. FDR led  
383 our nation through two of its worst crises and he brought his countrymen to understand  
384 finally government's responsibility for the nations afflicted and the nations direction. He  
385 has such a clear and unapologetic vision of government as a force for good and when  
386 people working together can do to enhance the common good –and that idea might not  
387 be trendy in some quarters today, but for me as a public servant that commitment to the

388 public interest is what government is suppose to be all about and indeed my count that  
389 term public interest appears 112 times in the communications act that the FCC is  
390 charged to implement and should come as no surprise as the statue that in trying that  
391 public interest in our communications law was enacted during the first Roosevelt  
392 administration. FDR understood the power of the media, he understood how it could be  
393 used for good, to inform the public and encourage discourse and to bring communities  
394 together. He relied heavily on radio to insure that his fire side chats were broadcast  
395 across the nation in order to bring hellion his message closer to the country and he  
396 understood and supported that apposing voices should also be heard and that this new  
397 media of radio could be used to nourish and to grow American democracy. But, he also  
398 understood that too much media power and two few hands could work to the detriment  
399 of democracy and he worked hard to keep that power checked. With that backdrop, the  
400 time realist forum tonight couldn't be better and that's because, as Maurice explained,  
401 the FCC is in the midst of a hugely important proceeding that will decide what the future  
402 of our media, our radio, our TV, our newspapers cable, even the internet is going to  
403 look like for many, many years to come. Will our media help us expand democracy or is  
404 there primarily the commercial interest of a few huge players? A little history to tell us  
405 how we got here. Three years ago under chairman Powell and over the objections of my  
406 friend commissioner Adelstine and myself, the FCC severely cut back, eviscerated which  
407 is probably a better word-the rules we had to check the big medias seemingly endless  
408 appetite for more consolidation. The Powell commission passed new rules allowing a  
409 single company to own in some markets, three television stations, 8 radio stations, the  
410 cable outlet, the cable network, the local newspaper, already a monopoly in most cities  
411 in the country. Where is the need and where is the benefit for that kind of concentrated  
412 power? That kind of assault and localism and diversity and competition? Just as bad, the  
413 agency did all this without seeking meaningful input from the American people. I couldn't

414 get my colleagues to go out to a meeting like this. Can you imagine that? All done  
415 behind closed doors? And here they were authorizing a seat change in how news and  
416 entertainment programming generally are produced and presented over your airwaves  
417 without bothering to ask you what you thought of it? Particularly it was a near disaster for  
418 the country. Thankfully citizens rose up across the land sending nearly 3 million  
419 messages to the FCC. When I went to FCC, in 2001 I didn't know 3 million Americans  
420 knew that such a place even existed. But they knew and they rose up and congress -  
421 thanks to the leadership of Maurice Hinchey, and others, rose up too. And then the  
422 federal court as those explain sent those rules back to us. That's the good news! And  
423 that ought to be caused for encouragement because that was a citizen victory. A lot of  
424 times we say in this day and age that citizens don't count anymore. They counted them,  
425 as 3 million people counted. Those rules were checked as a citizen victory and we ought  
426 to be proud of it. (applause). But reality check time now were back again at square one  
427 and its all up for grabs again. The media hasn't gone away, their lawyers haven't gone  
428 away, their lobbyist haven't gone away and their still following along behind at a luring to  
429 another probably piper of consolidation. They have money. They have power. So, if we  
430 are going to succeed against them, and then go on from there, not just stifle new rules,  
431 but then go on from there to really have a discussion in this country about the future of  
432 our media in democracy. It will be because of citizen action from millions of Americans  
433 people in this room, your friends, your neighbors, and communities all across this  
434 country of ours, and this time we have to insure that it is done in an open and an  
435 transparent fashion. Not with most of the FCC commissioners sitting in there offices in  
436 Washington reading the submissions of the usual suspects but getting out to hyde part  
437 and getting all around this country of ours to see what's going on in various media  
438 markets. We begin as Maurice said, with the premise of we own airwaves. There's not a  
439 broadcaster, there's not a company, there's not a special interest that the United States

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440 of America that owns an airwave. Not one! Because we own-and now my friends, is the  
441 time to assert our ownership rights. (applause). Too many stations are absentee owned  
442 and operated from a far and a business plans that do scan justice to the public interest.  
443 Local news rooms are shut down. Political and issues coverage goes by the boards.  
444 Community news disappears. Local musicians and regional talent are displaced by play  
445 lists and sometimes by play for play payola schemes. And consider what happens to  
446 minorities when media is hyper consolidated like it is today. Their issues are all but  
447 ignored and when you see them on television its almost always in caricature. Latino's  
448 aren't covered for the good things going on in their communities. The camera focus  
449 instead on illegal immigrants climbing fences and crossing the boarder to get into the  
450 United States. African Americans aren't covered for what they contribute to our country,  
451 their more often seen in the crime segment of the local news and I actually wonder if  
452 there is any other segment of the local news but the crime segment. A lot of this is  
453 caused by the fact that minorities have been virtually shut out by media ownership.  
454 Today in this country people of color comprise 30% of our population. They own just a  
455 little bit over 3% of all television stations and to me ownership matters. We go farther  
456 than that. I think ownership rules and unless and until we find a way to increase minority  
457 ownership, the situation is not going to improve. The proceeding before us of the FCC is  
458 the most important proceeding that we have on our plate right now. The stakes are  
459 enormous. You know this country has a lot of serious issues facing us: issues of peace  
460 and war, finding and keeping a job, educating your kids, obtaining health insurance,  
461 racial justice, equal opportunity, the list goes on. And, for everyone in this audience, one  
462 of those issues might trump everything else.

463 ..... **END OF TAPE** .....

464 ...But, here's what I tell folks: if this media consolidation issue is not your number one  
465 issue, you ought to think long and hard about making it your second most important

466 issue. [slight applause] And that is because Americans get their input and develop their  
467 views about all these other issues that are of concern to us filtered through that funnel of  
468 big media. Now, if you are all right with that and if you think your issue is going to be  
469 solved that way fine; you don't need to get involved in this debate; but, if you think just  
470 maybe *just maybe* that issue you care so much about would fare better in a competitive,  
471 and diverse and freer kind of media environment. Then, I hope you will join up in this  
472 particular dialogue and in this particular cause. We have a long way to climb to win the  
473 victory, especially, I said, if we define victory not just stopping new rules but having a  
474 real national dialogue in the future of our media and trying to reverse some of the harm  
475 that has already been done. Maurice talked about antagonistic points of view, the  
476 Fairness Doctrine, the public interest generally, powerful interests on the other side. We  
477 are going to have to work smarter, cleverer, and harder than ever. But, you know what?  
478 Our inspiration is right here in this compound where we are tonight. A great leader who  
479 lived just a stone's throw from here, Franklin Roosevelt, often said he loved a good fight.  
480 And he did. He relished a good fight, and he fought hard and usually, he won. He won  
481 because he had courage, vision, smarts. There's another reason that he won, and that  
482 was, that he was usually on the side of the people. So, too, with this issue we are  
483 discussing tonight; everything I have seen all across this land of ours convinces me that  
484 we can win this battle because this is an issue the people care about, want to tackle and  
485 want to win. And I can also tell you that at its heart, this is not a partisan issue. This is  
486 not a Democrat versus Republican issue. It is not liberal versus conservative; it is not  
487 red state versus blue state. It is all across America, and I have seen it everywhere I go.  
488 If we just make sure now, that the people all understand that this issue is up for decision  
489 again, and remember the media is going out of its way *not* to report this story, *not* to tell  
490 anybody that this is all up for decision again. If we get that word out, then I am happy to  
491 take my chances with the good sense of the American people and we will come out with

492 a victory. And think about what a sweet victory this can be because if you and I do what  
493 we should be doing, at this end of the debate, we can have airwaves of, and by, and for  
494 the American people. We can have a media that reflects and nourishes our democracy.  
495 I believe that the American people want a new deal for how their media are used. Let's  
496 go get it for 'em! Thank you. *Applause*

497 **[Andi Novick]** Thank you. Those were inspirational and wonderful. I am going to keep  
498 things moving here; but, first I have to tell you, once again, this is the rules --I've got to  
499 tell you, the rules of testimony. The next thing that is going to happen is we are going to  
500 hear from these fabulous panelists; but, before we do we are just going to run through  
501 the rules of testimony really quickly. If you haven't signed in on that sheet, go get a  
502 sheet. And, if there are any sheets out there to be brought up to me during the panel  
503 session, that's what should happen. Here are the rules, quickly. Everyone is going to  
504 get a minute and a half maximum, no exceptions! Time limits will be strictly enforced.  
505 Anyone testifying less than a minute, there are door prizes. Not really. You'll get a 30-  
506 second warning at which point you will need to sum up. Thirty seconds goes a lot faster  
507 than you think. If I have to say, "Thank you" from up here, that means you have  
508 exceeded your minute and a half and a trap door is going to open up underneath you. If  
509 the trap door doesn't work, it still means you have exceeded your minute and a half.  
510 Thank you means thank you and time's up. I will be calling everyone up five people at a  
511 time about five minutes before you need to testify, so we will keep the line moving. We  
512 will have a mike in the -- towards the center, up here -- if you have prepared testimony  
513 and you want to submit that, bring that up with you. That will be submitted. Let's see.  
514 Make sure you introduce yourself when you begin your testimony because I won't be  
515 making introductions. Tell your stories from experience, give specific examples and  
516 don't be nervous. We're all friends. Okay. Now, we are going to hear from our panel.  
517 We have three panelists and then we will commence our public testimony. And I will

518 briefly introduce our panels in the order that they will be speaking. I think I will? Let's  
519 see. First, Reverend Willis Freeman, who is the pastor of the AME Zion Church of  
520 Kingston and current president of the NAACP Kingston branch. He is a happily married  
521 father of four with one son in Kingston High School, two grandchildren. Reverend  
522 Freeman is vice president of the Ulster County Ministers Alliance. He serves on the  
523 Kingston District Attorneys Committee of Concerned Citizens and Clergy, as well as on  
524 the board of the Everett Hodge Midtown Community Center in Kingston. And then there  
525 is Julie McQuain, who's the president and founder of JMPR Associates, which is a  
526 media-focuses communications group. Julie has been specializing in science, nutrition  
527 and medical public relations as an independent consultant since 1992. She's an  
528 acknowledged leader in the field of strategic planning and execution of media campaigns  
529 for FDA approvals, new product launches in educational programs. In more than 20  
530 years in the PR business in New York, she has also done media relations for theatre and  
531 music, education, politics, and she has toured dozens of authors. And then finally Dr.  
532 Roberto Calderin, principal of New Windsor School in the Newburgh enlarged city school  
533 district. Dr. Calderin was selected as New York State's 2006 national distinguished  
534 principal. Dr. Calderin currently serves on the boards of Latinos Unidos of the Hudson  
535 Valley, Orange County Human Rights Commission, Orange County Community College  
536 and the Orange County United Way. He was the 2006 recipient of the Satis J. Walsh  
537 McQuillan Award for Educational Leadership and Fordham University's 2006  
538 Dissertation of the Year. Okay. Can we hear from our first panelist? The clock is  
539 running. Thank you. And you can give them all a hand when they are done.[ slight  
540 applause] **[REV. FREEMAN]** Greetings everyone. I am here as a concerned parent  
541 and also as president of the NAACP in Kingston and a concerned pastor. There is some  
542 good news about the media. It is not all bad. I have had some good experiences with  
543 the media in regards to my children. My two sons played Kingston High School football,

544 and the media covers the football teams very well. And, you know, and they pump up  
545 those kids. But, my concern is when a kid goes and gets in trouble, and they don't get  
546 the same coverage. And they don't get the same privilege as other kids that are fighting  
547 and struggling and doing sports and athletics and things like that. It seems like  
548 sometimes, that the media uses bad situations to tear down our children and I am  
549 concerned with that. They even used the power and influence to convict and also to  
550 sentence criminals even before the trial has come. Also to influence DA decisions and  
551 things of that nature. I think that is something that needs to stop. We need to speak out  
552 in regards to that because we had an incident in Kingston where the skinheads were  
553 brought in and the news media did a real, unfair job to one of the youth that was in the  
554 city. It really spun things out of control, and we were concerned as a  
555 community, because we had this group coming into our area that wasn't from our area  
556 simply because of what was portrayed in the media. And, some of it was true and some  
557 of it wasn't. We still had this big problem that we had to deal with, and I think we just  
558 need to be represented better through the news media, through television, through radio  
559 as people of color. Everyone doesn't want to hear hip hop, you know? Hip hop is okay.  
560 I'm a DJ for 20 years. But, I don't want to hear it every time I get in my car. Sometimes I  
561 want to hear a little jazz. You know, I'm a Christian, I want to hear some gospel. You  
562 know, I would like to hear some other things on the radio than just what the media  
563 portrays, especially here in this area. It's a funny thing that so few people control the  
564 airwaves or own a radio or TV station. It influences what our kids are listening to. As I  
565 am thinking about coming to this panel, I am thinking about my kids and other people's  
566 kids. It's not only a black or white issue. All of our kids are doing the same thing. We  
567 wonder why they are watching so much cartoons and wonder why they are playing so  
568 many video games. You see them with their TV time, that's mostly what they are doing.  
569 Well, maybe they're tired of watching sitcoms from the '60s, '70s and '80s because that's



570 all there is on television for our kids to watch. There's nothing positive portrayed. The  
571 reason they look at BET, because there's nothing else for them to watch. The reason  
572 that --- there are many reasons why they do many things and for some reason nothing is  
573 being done about it. I am very concerned in that regard, because I have children. I am  
574 very concerned about what they are being fed from the media and the music they listen  
575 to. I am concerned about the music that is played on the radio, that's FCC regulated,  
576 that's sexually explicit. And, it is played on a public airway and we can understand what  
577 the lyrics and things are saying, but our kids are listening to it. It seems like the media is  
578 teaching our kids about sex before we even have a chance to talk to 'em about it. It  
579 seems to be okay. We can turn on the radio and you can hear songs about explicit  
580 sexual acts and things of that nature, and your kids are listening to it in the car. If you  
581 get out of the car and you go inside the store and you leave the radio on, they have it on  
582 when they come back. I don't care who your kids are, they are doing these things. All  
583 right. If you don't believe it, just check where your radio is when you leave home and go  
584 away for a weekend and see where it is when you get back. We just really need to be  
585 concerned. We need to be more diverse in what we hear in the community on the radio,  
586 especially on the radio. The radio is a very important part of our culture, and seemingly  
587 we have gotten away from it. All we hear are negative things on the radio. All we hear  
588 are negative portrayal, especially here in Ulster County. My, God! If they don't get a  
589 jazz station here, I think I will just go crazy. I do. It is just so sad there is no good music  
590 on the radio once you pass Poughkeepsie. It is a sad thing. It is. I am originally from  
591 Watley County, and I am just concerned about these things, as a concerned parent.  
592 You know, I am tired of our youth being influenced by so many outside influences except  
593 for positive influences. You know, they go to concerts. They go to rap concerts, but it is  
594 hard to get them in church. They go to baseball games, but it is hard to get them to sing  
595 in the choir. They go to all sorts of things but it is hard to get them to a Sunday school

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